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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,871	10/14/2001	Jeffrey Charles Hawkins	HAND.P0013	4375

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STATTLER JOHANSEN & ADELI
P O BOX 51860
PALO ALTO, CA 94303

EXAMINER

MISTRY, O NEAL RAJAN

ART UNIT PAPER NUMBER

2173

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/977,871	Applicant(s) HAWKINS ET AL.	
	Examiner O'Neal R Mistry	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined.
2. Claims 1-23 are presented for examination.

Drawings

3. The Examiner contends that the drawings submitted on 09/21/2000 are acceptable for the examination proceedings.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-9 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Ben-Shachar et al (U.S. 6,557,004), hereafter referred to as Ben-Shachar.

Claim 10 rejected under 35 U.S.C. 102(e) as being clearly anticipated by Whipple et al (U.S. 5,917,905), hereafter referred to as Whipple.

Claim Rejections - 35 USC § 102e Claim 1-9

4. Regarding claim 1, Shachar teaches a selecting a desired subset from a list of names in a computer system, each of said names comprising a first name and a last name, said method comprising:

accepting a first desired letter input (col. 3 line 67- col. 4 line 5);

selecting a first subset from said list of names comprising names having a first name beginning with said first desired letter or a last name beginning with said first desired letter (col. 4 lines 1-5);

accepting a second desired letter input (col. 5 lines 5-7);

selecting a second subset from said list of names that have

a first name beginning with said first desired letter and said second desired letter , (col. 5 lines 7-26). or

a last name beginning with said first desired letter and said second desired letter (col. 5 lines 7-26).

5. Regarding claim 2, Shachar teaches a displaying at least a portion of said first subset after selecting said first subset from said list of names (Figure 7 & col. 4 lines 2-5).

6. Regarding claim 3, Shachar teaches a displaying at least a portion of said second subset after selecting said second subset from said first subset (col. 4 lines 22-25).

7. Regarding claim 4, Shachar teaches said method further comprising,
accepting a next desired letter input; and (col. 3 line 67 – col. 4 line 2).
selecting a next subset from said list of names that have (col. 4 lines 2-5).

a first name beginning with said first desired letter, said second desired letter, and said next desired letter (col. 4 lines 5-8) , or

a last name beginning with said first desired letter, said second desired letter, and said next desired letter (col. 4 lines 5-8) or,

8. Regarding claim 5, Shachar teaches a method further comprising, repeating said steps of accepting a next desired letter input and selecting a next subset. (col. 4 lines 5-8).

Regarding claim 6, Shachar teaches a method further comprising, displaying at least a portion of said next subset after selecting said next subset from said previous subset. (col. 4 lines 20-23).

9. Regarding claim 7, Shachar teaches a method further comprising, repeating said steps of accepting a next desired letter input, selecting a next subset, and displaying said next subset (col. 4 lines 5-8 & col. 4 lines 21-24).

10. Regarding claim 8, Shachar teaches a method further comprising:
accepting a user input deleting said next desired letter (col. 3 line 67- col.4 line 2); and
selecting said second subset from said list of names that have (col. 4 line 2-4).

a first name beginning with said first desired letter and said second desired letter,
or (col. 4 lines 5-8).

a last name beginning with said first desired letter and said second desired letter,
or (col. 4 lines 5-8).

a first name beginning with said first desired letter and a last name beginning
with said second desired letter.

11. Regarding claim 9, Shachar teaches a method further comprising, displaying at least a portion of said second subset after selecting said second subset from said first subset (col. 4 lines 20-23).

Claim Rejections - 35 USC § 102e Claim 10

12. Regarding claim 10, Whipple teaches an intuitive interface to a wireless telecommunication system, said method comprising:

displaying a first user interface screen comprising a telephone dial pad interface when a user wishes to dial a telephone number using a convention touchtone dial pad; (Figure 4 & col.12 lines 4-6).

displaying a second user interface screen comprising a first page of speed dial labels when said user wishes to dial a telephone number from a list of speed dial numbers; (col. 11 lines 22-32).

displaying a third user interface screen comprising a subset of a call history when said user wishes to dial a telephone number from said call history; and (col. 12 lines 29-32).

displaying a fourth user interface screen comprising a subset of a list of names and telephone numbers when said user wishes to dial a telephone number from said list of names and telephone numbers (col. 12 lines 40- 47).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 11-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Whipple et al (U.S. 5,917,905), hereafter referred to as Whipple, in view of Ben-Shachar et al (U.S. 6,557,004), hereafter referred to as Ben-Shachar.

13. With regards to claim 11 for being rejected, Whipple disclosed a telephone interface system that contains a speed-dial interface, a dial-pad interface, call history interface, and a list of contact interface. Whipple has the ability to search through a list of contacts, and has the ability to place a telecommunication phone call. The interface used in Whipple, displays the most recent 9 called numbers (col. 12 lines 29-32), and allows the user to call them again. Quick reference a list of contact to call immediately. Permit the user to manually enter a telephone number by operating a numeric keypad. (col. 12 lines 4-9) Lets the user have the ability to traverse multi-layer contact phone book (col. 12 lines 40-45). Whipple fails to disclose an advance algorithm that searches first, last, or business names. The contacts in the phone books are only arranged in alphabetic order from last name. Also, Whipple employs a different method on how the user has the ability to search through the phone book. Instead of entering one information at a time, which Ben-Shachar uses, Whipple allows the user to enter a

group key, which lists the contacts in alphabetical order depending on the key the was pressed.

Ben-Shachar shows a hand-held device that has the ability to accept inputs from a user to search through a list of first name, last names, and other fields. (col.4 lines 7-17) As new information is inputted into the hand-held device the search list changes by filtering un-wanted data and display possible data for every new contributing information (col. 3 line 62- col. 4 line 6). The information is inserted into a text box, which is exhibit in Figure 4, and a list of data is displayed below it (col. 4 lines 21-33). For example, if the user is insert the letter "j" into the text box, a list of every first, last, and business names with "j" would displayed. Next, if the user enters "jan" the algorithm starts to refine the list, and display only contacts that contain "jan" in the first, last, or business names (col. 4 lines 2- 7).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use Ben-Shachar's search technique for display data into Whipple's multi-layer phone-book. Whipple and Ben-Shachar were both storing first names, last names, and telephone numbers. The two inventions only differ by the use of how the information was retrieved and displayed on the GUI.

The modifications would have been obvious because one of ordinary skill in the art would have been motivated to search different type of search techniques on phone books or contact information on a hand-held device, the scalability of the searching methold is improved by utilizing binary searches or n-ary searches when searching the databases sorted on the first and last named.

14. With regards to claim 12 for being rejected, In the related art of displaying at least a portion of said first subset after selecting and first subset from said list of names, Ben-Shachar disclosed that after information is inserted into the edit control text box the hand-held begins to refine the contact list. The hand-held use a search algorithm that searches through the database of contacts, with each new letter, the algorithm updates the contact list, so only it contains records that the user requests (col. 3 lines 62- 67). It would have been obvious to one of the ordinary skill in the art at the time the inventions was made to use the search algorithm that displays and updates as new letters are entered into the hand-held, that is described by Ben-Shachar in a telephone instruments that is described by Whipple. This simple modification would have been obvious because one of the ordinary skill in the art would have been motivated to combine the search algorithm for displaying and searching with the multi-layer phone book in the telephone instrument.

15. With regards to claim 13 for being rejected, In the related art of displaying at least a portion of said second subset after selecting and second subset from said first subset, Ben-Shachar disclosed that after information is inserted into the edit control text box the hand-held begins to refine the contact list. The hand-held use a search algorithm that searches through the database of contacts, with each new letter, the algorithm updates the contact list, so only it contains records that the user requests (col. 3 lines 62- 67). It would hav been obvious to one of the ordinary skill in the art at the time the inventions was made to use the search algorithm that displays and updates as new letters are entered into the hand-held, that is described by Ben-Shachar in a telephone instruments

that is described by Whipple. This simple modification would have been obvious because one of the ordinary skill in the art would have been motivated to combine the search algorithm for displaying and searching with the multi-layer phone book in the telephone instrument.

16. With regards to claim 14 for being rejected, Ben-Shachar shows a hand-held device that has the ability to accept inputs from a user to search through a list of first name, last names, and other fields (col.4 lines 7-17). As new information is inputted into the hand-held device the search list changes by filtering un-wanted data and display possible data for every new contributing information (col. 3 line 62- col. 4 line 6). The information is inserted into a text box, which is exhibit in Figure 4, and a list of data is displayed below it. (col. 4 lines 21-33). For example, if the user is insert the letter "j" into the text box, a list of every first, last, and business names with "j" would displayed. Next, if the user enters "jan" the algorithm starts to refine the list, and display only contacts that contain "jan" in the first, last, or business names (col. 4 lines 2- 7).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use Ben-Shachar's search technique for display data into Whipple's multi-layer phone-book. Whipple and Ben-Shachar were both storing first names, last names, and telephone numbers. The two inventions only differ by the use of how the information was retrieved and displayed on the GUI.

The modifications would have been obvious because one of ordinary skill in the art would have been motivated to search different type of search techniques on phone books or contact information on a hand-held device, the scalability of the searching

method is improved by utilizing binary searches or n-ary searches when searching the databases sorted on the first and last named.

17. With regards to claim 15 for being rejected, Ben-Shachar discloses for repeating steps of accepting more than one desired letter input and select another set of subsets (col. 3 lines 62- 67 & col. 4 lines 5-8).

18. With regards to claim 16 for being rejected, In the related art of displaying at least a portion of said first subset after selecting and first subset from said list of names, Ben-Shachar disclosed that after information is inserted into the edit control text box the hand-held begins to refine the contact list. The hand-held use a search algorithm that searches through the database of contacts, with each new letter, the algorithm updates the contact list, so only it contains records that the user requests (col. 3 lines 62- 67). It would have been obvious to one of the ordinary skill in the art at the time the inventions was made to use the search algorithm that displays and updates as new letters are entered into the hand-held, that is described by Ben-Shachar in a telephone instruments that is described by Whipple. This simple modification would have been obvious because one of the ordinary skill in the art would have been motivated to combine the search algorithm for displaying and searching with the multi-layer phone book in the telephone instrument.

19. With regards to claim 17 for being rejected, Ben-Shachar discloses for repeating steps of accepting more than one desired letter input and select another set of subsets. (col. 3 lines 62- 67 & col. 4 lines 5-8).

20. With regards to claim 18 for being rejected, Ben-Shachar shows a hand-held device that has the ability to accept inputs from a user to search through a list of first name, last names, and other fields (col.4 lines 7-17). As new information is inputted into the hand-held device the search list changes by filtering un-wanted data and display possible data for every new contributing information (col. 3 line 62- col. 4 line 6). The information is inserted into a text box, which is exhibit in Figure 4, and a list of data is displayed below it. (col. 4 lines 21-33). For example, if the user is insert the letter "j" into the text box, a list of every first, last, and business names with "j" would displayed. Next, if the user enters "jan" the algorithm starts to refine the list, and display only contacts that contain "jan" in the first, last, or business names (col. 4 lines 2- 7).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use Ben-Shachar's search technique for display data into Whipple's multi-layer phone-book. Whipple and Ben-Shachar were both storing first names, last names, and telephone numbers. The two inventions only differ by the use of how the information was retrieved and displayed on the GUI.

The modifications would have been obvious because one of ordinary skill in the art would have been motivated to search different type of search techniques on phone books or contact information on a hand-held device, the scalability of the searching methold is improved by utilizing binary searches or n-ary searches when searching the databases sorted on the first and last named.

21. With regards to claim 19 for being rejected, Whipple discloses an interface screen for dialing numbers manually when the computer is inoperative (col. 5 lines 33-38).

22. With regards to claim 20 for being rejected, Whipple discloses a display keypad and LCD may be used to control the handling of a call in progress when the system is in progress. If the user press the "HOLD" button, this allows the user to suspends the present call without losing connection (col. 13 lines 52-63).

23. With regards to claim 21 for being rejected, Whipple disclosed the function of the "FLASH" button, which allows the user to terminate the present connection, by initiate the lineDROP function (col. 13 lines 52- 60).

24. With regards to claim 22 for being rejected, Whipple disclosed the function of accepting an incoming call (col. 29 lines 10-26).

25. With regards to claim 23 for being rejected, Whipple disclosed the function of accepting an incoming call (col. 29 lines 10-26).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclose.

1. Whipple et al, (U.S. Patent Number 5,917,905).
2. Ben-Shachar et al, (U.S. Patent Number 6,557,004)


Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R Mistry whose telephone number is (703) 305-2738. The examiner can normally be reached on 9am - 6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703)308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O'Neal Mistry
Assistant Examiner



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173